

REMARKS

Claims 1-22 were pending in the application; the status of the claims is as follows:

Claims 1-5 and 10-22 are withdrawn from consideration.

Claims 6-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,323,479 B1 to Hynecek et al. ("Hynecek et al") in view of U.S. Application Publication No. US 2001/0045508 to Dierickx ("Dierickx").

The acknowledgement, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received, is noted with appreciation.

The indication, in the Office Action, that the Examiner has no objections to the drawings filed on January 25, 2001, is noted with appreciation.

Claim 4 has been amended to improve the form thereof. These changes do not introduce any new matter.

35 U.S.C. § 103(a) Rejection

The rejection of claims 6-9 under 35 U.S.C. § 103(a), as being unpatentable over Hynecek et al in view of Dierickx, is respectfully traversed based on the following.

Hynecek shows a photon detecting element having a linear response up to a certain level of photon absorption (where the voltage at node 1 has been lowered to V_t , Figure 2) and a logarithmic response thereafter (col. 2, line 66 – col. 3, line 13). Of importance, Hynecek only shows a single reset signal Φ_{RST} and only shows a single operational mode having the above described characteristics.

Dierickx shows a method of calibrating logarithmic pixels of a photoreceptor 1. A second reading of each pixel is done with the addition of a known, high current from a current source 2 (¶¶ 26 and 27). As with Hynecek, the pixels operate in a single mode (Figure 2).

In contrast to the cited references, claim 6 includes:

a plurality of pixels, each pixel capable of outputting electric signals either in a first mode in response to a first resetting signal in which the electric signals are natural-logarithmically proportional to an amount of incident light or in a second mode in response to a second resetting signal in which the electric signals are linearly proportional to the amount of incident light; and

a detection circuit for detecting variations in sensitivity among the pixels set in each of the first and second modes.

Neither of the cited references shows or suggests a pixel that can be set “in a first mode in response to a first setting signal” or “in a second mode in response to a second setting signal.” Hynecek shows a single resetting signal Φ_{RST} and Dierickx does not discuss any resetting operation. Support for the use of two resetting signals is found in Figure 37 of the specification, where switch SW is on for the entire resetting period and Figure 38 of the specification, where switch SW is on for only a portion of the resetting period. To support a *prima facie* case for obviousness, the references in combination must show or suggest every element of the claim. MPEP §2143.03. Therefore, because neither of the references show or suggest the above quoted limitations, claim 6 is not obvious over the cited references. Claims 7-9 are dependent upon claim 6, and thus include every limitation of claim 6. Therefore, claims 7-9 are also not obvious over the cited references. MPEP §2143.03.

Accordingly, it is respectfully requested that the rejection of claims 6-9 under 35 U.S.C. § 103(a) as being unpatentable over Hynecek et al in view of Dierickx, be reconsidered and withdrawn.

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New claims 23-25

New claims 23-25 are dependent upon claim 6, and thus include every limitation of claim 6. Therefore, claims 23-25 are patentably distinct from the cited references.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, increases the total number of claims by three (3) from twenty-two (22) to twenty-five (25), but does not present any multiple dependency claims. Accordingly, a Response Transmittal and Fee Authorization form authorizing the amount of \$150.00 to be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260 is enclosed herewith in duplicate. However, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

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and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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